

“Federal law opens two main avenues to relief on complaints related to imprisonment: a petition for habeas corpus, 28 U.S.C. § 2254, and a complaint under . . . 42 U.S.C. § 1983.” *Muhammad v. Close*, 540 U.S. 749, 750 (2004) (per curiam). “Challenges to the validity of any confinement or to particulars affecting its duration are the province of habeas corpus; requests for

relief turning on circumstances of confinement may be presented in a § 1983 action.” *Id.* (citations omitted). The Supreme Court has held that a habeas corpus petition, rather than a § 1983 action, is the sole avenue for federal relief “when a state prisoner is challenging the very fact or duration of his physical imprisonment, and the relief he seeks is a determination that he is entitled to immediate release or a speedier release from imprisonment[.]” *Preiser v. Rodriguez*, 411 U.S. 475, 500 (1973).

Here, the plaintiff seeks the restoration of good-time credits and damages. The restoration of good-time credits, however, would result in “a speedier release from imprisonment,” and thus a petition for habeas corpus, rather than a § 1983 action, is the sole avenue through which he can obtain such relief. *Id.*

Since the plaintiff cannot obtain the restoration of good-times credits through this § 1983 action, this leaves only his request for monetary damages. But his pursuit of monetary damages is barred by the doctrine recognized in *Heck v. Humphrey*, 512 U.S. 477 (1994), which holds that “when ‘a judgment in favor of the plaintiff [in his civil suit] would necessarily imply the invalidity of his conviction or sentence[.] . . . the complaint must be dismissed unless the plaintiff can demonstrate that the conviction or sentence has already been invalidated.” *Hill v. Murphy*, 785 F.3d 242, 248 (7th Cir. 2015) (quoting *Heck*, 512 U.S. at 484-85)). The *Heck* bar applies in cases such as this where a judgment in the plaintiff’s favor would necessarily imply the invalidity of the certain disciplinary sanctions. *See Blackmon v. Hamblin*, 436 Fed. Appx. 632, 633 (7th Cir. 2011).

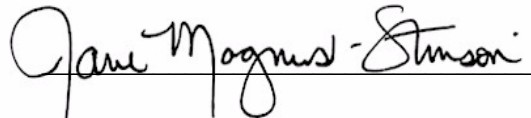
For these reasons, the plaintiff is unable to obtain any of the relief he seeks through this § 1983 action. The Seventh Circuit has instructed district courts not to convert improperly filed § 1983 cases into habeas petitions. *See Moore v. Pemberton*, 110 F.3d 22, 23-24 (7th Cir. 1997).

This case is therefore **dismissed without prejudice**. Final judgment in accordance with this entry shall now issue.

As noted above, the plaintiff is notified that he can seek the restoration of his good-time credits through an appropriately filed petition for habeas corpus pursuant to 28 U.S.C. § 2254. If he does so, the plaintiff must file a separate habeas petition for each individual disciplinary conviction he wishes to challenge.

**IT IS SO ORDERED.**

Date: May 17, 2016

A handwritten signature in black ink, reading "Jane Magnus-Stinson", written over a horizontal line.

Hon. Jane Magnus-Stinson, Judge  
United States District Court  
Southern District of Indiana

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